

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

KYLE JONES,

Plaintiff,

v.

AT&T MOBILITY SERVICES, LLC,

Defendant.

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No. 3:17-CV-2315-D

ORDER

After making an independent review of the pleadings, files, and records in this case, and the December 27, 2018 findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

Accordingly, the September 11, 2018 motion of defendant AT&T Mobility Services, LLC to dismiss with prejudice pursuant to Federal Rules of Civil Procedure 37 and 41 is granted, and this civil action is dismissed with prejudice by judgment filed today.

Treating plaintiff's January 2, 2019 letter to the court as a motion, the motion is denied.

SO ORDERED.

January 23, 2019.



SIDNEY A. FITZWATER
SENIOR JUDGE